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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/065,016 | 09/10/2002 | Olivier Boireau | 71522-2 | 5731 |

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EXAMINER

CRUZ, LOURDES C

ART UNIT

PAPER NUMBER

2827

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,016

Applicant(s)

BOIREAU, OLIVIER

Examiner

Lourdes C. Cruz

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 5-9, 11, 13 and 20-24 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 10, 12, 15-19 and 25-27 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

This application is in condition for allowance except for the following formal matters:

Non-elected claims need to be **cancelled**.

Claim Objections

Claim 14 refers to alternatively different embodiments, the non-elected PCB. Nevertheless, the claim refers to the elected embodiment, the IC embodiment, in the alternative. The IC embodiment is found to be allowable, but the PCB embodiment, may not be. Furthermore, it appears that there may be prior art that discloses the PCB embodiment as claimed. Therefore, the entire claim maybe rejectable for the alternative recitation of the PCB. Applicant's remarks stating that the claim is generic are not persuasive since the fact that the integrated circuit chip is allowable **does not** necessarily imply allowability of a printed circuit board as claimed. Hence, claim 14 is not necessarily allowable. Applicant is required to remove the alternative language from claim 14 so that it can be allowed with the elected group of claims. Nonetheless, applicant is cautioned that claim 14 could become identical to claim 1, and must be amended so that they do not become identical.

Rejoinder of all withdrawn from consideration claims **is not appropriate** in this Application because the non-elected claims do not contain all of the allowable limitations. Non -elected claims are withdrawn from further consideration pursuant to 37 CFR 1.142(b).

Applicant timely **traversed** the restriction (election) requirement. However, Applicant's arguments that all claims should be considered since patentability lies in the specific arrangement of contact points are **not persuasive** since there are structural and functional differences between Integrated circuit devices and Printed Circuit Boards. It would be inadequate to ignore those differences. For example, an integrated circuit chip contains an active element in it. Also, see previous restriction requirement mailed 05-02-03.

Drawings

The drawings are objected to because it is unclear what 220 points to (for example, see p.5, last two lines). Also, 230 is described as inner portion ground contact points, and if 230 are points then it is not clear how the drawings show this feature. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.

Allowable Subject Matter

Claims 1-4, 10, 12, 15-19, 25-27 are allowed. There is prior art regarding integrated circuit package device having plural contact points, wherein the plurality of contact points include inner and outer contact points. See for example Ma (US6448639) wherein the above is disclosed. Additionally, see US6057600 to Kitazawa et al. wherein an integrated circuit package including contact points is disclosed. Also, see that there is prior art of record disclosing a circuit board including contact points arranged as inner contact points and outer contact points. However, the application as amended specifically recites a majority of contacts configured in a specific portion comprised in

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the chip package device itself, not a circuit board. This, in combination with all the specific language in the claims, makes up a device that is neither obvious over nor anticipated by the prior art of record.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

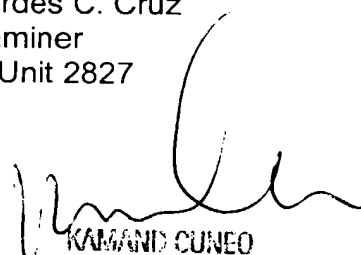
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elle Cruz whose telephone number is 703-306-5691. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on 703-305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Elle Cruz
May 29, 2003

Lourdes C. Cruz
Examiner
Art Unit 2827



KAMAND CUNEO
SUPERVISORY PATENT EXAMINER
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